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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-3801

EXAMINER

WALLERSON, M

ART UNIT PAPER NUMBER

2722

14

DATE MAILED:

12/23/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/579,733

Applicant(s)

Hiroshi Nobuta et al

Examiner

Mark Wallerson

Group Art Unit

2722



☒ Responsive to communication(s) filed on Nov 12, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 24, 26, 27, and 29 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 24, 26, 27, and 29 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 24, 26, 27, and 29 are pending.

Continued Prosecution Application

2. The request filed on 11/12/98 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/579,733 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamata (U. S. 4,989,163) in view of Otani (U. S. 4,727,435) and well known prior art.

With respect to claims 24 and 27, Kawamata discloses inputting and processing an image signal by using a developing circuit (internal circuit) (column 4, lines 64-69 and column 5, lines 19-34); transmitting the image signal from the scanner to a memory (10) (column 6, lines 60-67).

Kawamata discloses extracting the data from the memory (10) to the computer (column 8,

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lines 9-15). This data may then be transferred from the computer to the printer (column 7, lines 7-29), which reads on a first mode for transferring a second processed signal from the computer to the printer.

Kawamata then discloses sending data from the scanner to the memory (10) then on to the printer without the use of the computer (column 7, lines 30-47), which reads on a second mode for transferring a first processed signal from the scanner to the printer.

Kawamata differs from claims 24 and 27 in that he does not clearly or specifically disclose a plurality of modes to process and output the image signal. Otani discloses a plurality of control modes to process and output the image signal (column 1, lines 66-68 to column 2, lines 1-10 and column 4, lines 5-64). It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the image processing modes as taught by Otani in the apparatus of Kawamata in order to improve image processing.

With respect to the "interlocking" feature, applicant has defined this as being able to correct an image to a final desired image (page 21, lines 1-2). Since the scanned image may be extracted from the memory by the computer as taught by Kawamata, it would be easy for an operator to utilize well known prior methods to adjust colors and other features of the scanned image(s) in order to obtain a desired output.

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5. Claims 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamata in view of Otani and well known prior art as applied to claims 24 and 27 above, and further in view of Kochis (U. S. 5,218,458).

Kawamata and Otani disclose the subject matter discussed above in regards to claims 24 and 27.

Kawamata and Otani differ from claim 26 and 29 in that they do not disclose a modem or transmitting the image from the bidirectional interface to a telephone line. Kochis discloses a telephone line connected to a PC Fax card for the transmission of the image signal. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a modem as taught by Kochis in the device of Kawamata in view of Otani and well known prior art in order to easily transmit the image data.

Conclusion

6. All claims are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:


(703) 308-9051 (for formal communications intended for entry)

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(703) 308-5397 (for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)

MARK WALLERSON
PATENT EXAMINER 

Mark Wallerson


EDWARD COLES, SR.
SUPERVISORY PATENT EXAMINER
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